

10/501262

DT04 Rec'd PCT/PTO 09 JUL 2004

IN THE UNITED STATES RECEIVING OFFICE (RO/US)  
Designated/Elected Office (DO/EO/US)

U.S. National Stage of  
International Application No.: PCT/GB03/00064  
International Filing Date: January 10, 2003  
Earliest Priority Date: January 11, 2002  
Applicants: William Malcolm Charles Rosenberg  
Title: METHODS OF DETECTING HCV GENOTYPE 1  
(HCV-1) BY USING PRIMERS SPECIFIC FOR THE  
5' NON-CODING REGION (NCR) OF THE HCV GENOME  
Attorney's Docket No.: 3769.1000-000

Date: 09 July 2004

EXPRESS MAIL LABEL NO. EV215891406US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application  
filewrapper.  
(Filed after payment of issue fee)

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Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☒ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for reference AL under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☒ the enclosed English language abstract.

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[ ] Applicant requests that the following non-published pending applications be considered:

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Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner\_\_\_\_\_  
Date

- [ ] A copy of each above-cited application, including the current claims, is enclosed.
- [ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

## Method of payment:

- [ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By Pamela A. Torpey (45,736) for  
Alice O. Carroll  
Registration No.: 33,542  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: July 9, 2004

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  July 9, 2004  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3769.1000-000		APPLICATION NO. N/A 10/501262	
	FIRST NAMED INVENTOR William Malcolm Charles Rosenberg		FILING DATE	
	EXAMINER Not Assigned		CONFIRMATION NO. N/A	GROUP

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	5,851,759	12-22-1998	Weiner
	AB			
	AC			
	AD			
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EXAMINER	DATE CONSIDERED
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PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>July 9, 2004</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3769.1000-000		APPLICATION NO. N/A 10/501262	
	FIRST NAMED INVENTOR William Malcolm Charles Rosenberg		FILING DATE	
	EXAMINER Not Assigned	CONFIRMATION NO. N/A	GROUP	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION	
					YES	NO
	AL	WO 01/46469 A1	06-28-2001	Otsuka Pharmaceutical Co., Ltd.		X
	AM					
	AN					
	AO					
	AP					
	AQ					
	AL2					
	AM2					
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	AO2					
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PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  July 9, 2004  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3769.1000-000		APPLICATION NO. 10/501262	
	FIRST NAMED INVENTOR William Malcolm Charles Rosenberg		FILING DATE	
	EXAMINER Not Assigned		CONFIRMATION NO. N/A	GROUP

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR	Bukh, J. <i>et al.</i> , "Sequence analysis of the 5' noncoding region of hepatitis C virus," <i>Proc. Natl. Acad. Sci. USA</i> , 89:4942-4946 (1992).
AS	Di Bisceglie, A. M., "Hepatitis C," <i>Lancet</i> , 351:351-355 (1998).
AT	Tanaka, Y., <i>et al.</i> , "Selective Binding of Hepatitis C Virus Core Protein to Synthetic Oligonucleotides Corresponding to the 5' Untranslated Region of the Viral Genome," <i>Virol.</i> , 270:229-236 (2000).
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